

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 30, 2003
SAN FRANCISCO, CALIFORNIA**

S046117

PEOPLE v. JONES (ERNEST)
Opinion modified - no change in judgment

S113759

B155736 Second Appellate District,
Division Eight

CALIFORNIA PORTLAND CEMENT CO. et al. v.
S.C. (JEONG)
Petition for review granted (civil case)

Requests for judicial notice granted.
Applications for stay and petition for review
granted.

Votes: George C.J., Kennard, Baxter,
Werdegar, Chin, Brown & Moreno, J.J.

S113759

B155736 Second Appellate District,
Division Eight

CALIFORNIA PORTLAND CEMENT CO. et al. v.
S.C. (JEONG)
Order filed

In order to conform to the format prescribed
by the Calif. Style Manual (4th ed. 2000)
§ 6:35, the above entitled matter is retitled as
follows:

Taiheito Cement Corp. et al., Petitioners,
v.
Superior Court, Respondent;
Jae Won Jeong, Real Party in Interest.

S113799

D037761 Fourth Appellate District,
Division One

ELSNER v. UVEGES (STATE COMPENSATION
INSURANCE FUND)
Petition for review granted (civil case)

Request for judicial notice granted.

Votes: George, C.J., Kennard, Werdegar,
Chin & Moreno, J.J.

S114470

G030056 Fourth Appellate District,
Division Three

MITSUBISHI MATERIALS v. S.C. (DILLMAN)
Petition for review granted (civil case)

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, Brown & Moreno, J.J.

S103343

F034873 Fifth Appellate District

S103340

F034709 Fifth Appellate District

PEOPLE v. REYNOSO (JOHN PAUL)

PEOPLE v. REYNOSO (JULIAN JESUS)

Cases consolidated

Good cause appearing, the above-entitled cases are hereby consolidated for purposes of oral argument and opinion. Oral argument shall be one hour in total, with 30 minutes for the People (respondent) and 30 minutes divided equally between appellants John Paul Reynoso and Julian Jesus Reynoso, unless appellants agree to a different allocation that complies with Section V, paragraph three of the Internal Operating Practices and Procedures of the California Supreme Court. At the consolidated oral argument, appellant John Paul Reynoso shall make his opening arguments in *People v. Reynoso*, S013343, followed by the opening arguments of appellant Julian Jesus Reynoso in *People v. Reynoso*, S013340. Thereafter, the People (respondent) shall make their arguments. Appellants John Paul Reynoso and Julian Jesus Reynoso may reserve time for rebuttal, which would be presented in the order indicated above.

S113699G029531 Fourth Appellate District,
Division Three

MANDEL v. HOUSEHOLD BANK

Order filed: case held pending decision in another case

Further action in this matter is deferred pending consideration and disposition of a related issue in *Discover Bank v. Superior Court* (S113725) (see Cal. Rules of Court, rule 28.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

S114527

H024067 Sixth Appellate District

PEOPLE v. DALE

Review granted/briefing deferred (rule 29.3) - criminal case

Request for judicial notice granted.

Petition for review granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Samples*, S114527 (see Cal. Rules of Court, rule 28.2 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, J.J.

S112802

STRATEGIC ENERGY v. P.U.C. (PG&E)

Petition for writ of review denied

Chin, J., was recused and did not participate.

S113405A097316 First Appellate District,
Division One

WALSH v. TRUCK INSURANCE EXCHANGE

Petition for review & publication request denied

S113571E032917 Fourth Appellate District,
Division Two

RIVERSIDE UNIFIED SCHOOL DISTRICT v.

W.C.A.B. (CREASMAN)

Petition for review denied

S113620

C042168 Third Appellate District

PEOPLE ex rel DEPT. OF TRANSPORTATION v.

S.C. (ISENHOWER)

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

S113654A100097 First Appellate District,
Division Five

FRANCISCO v. S.C. (TUDOR ENTERPRISE INC.)

Petition for review denied

S113764

E030144 Fourth Appellate District,
Division Two

GRANOWITZ v. REDLANDS UNIFIED SCHOOL
DISTRICT

Petition for review & depublication request denied

Kennard, J., was recused and did not
participate.

S113837

E033004 Fourth Appellate District,
Division Two

PEOPLE v. S.C. (WHITSETT)

Petition for review denied

S113845

B153396 Second Appellate District,
Division Seven

WEISBERG v. LERNER BESWICK

Petition for review & publication request denied

Werdegar, J., is of the opinion the petition
should be granted.

S113849

B164744 Second Appellate District,
Division Seven

CASDEN v. S.C. (CASDEN)

Petition for review denied

S113890

D039424 Fourth Appellate District,
Division One

PEOPLE v. ARGUIEZ

Petition for review denied

S113898

H023351 Sixth Appellate District

RASMUSSEN v. PLUMMER

Petition for review denied

S113999

B151721 Second Appellate District,
Division Five

CBS BROADCASTING v. CARSEY-WERNER CO.

Petition for review denied

S114181

A096676 First Appellate District,
Division Two

S. (DEXTER), IN RE

Petition for review denied

S114190

F038807 Fifth Appellate District

GARY DRILLING CO. v. ONTESTA CORP.

Petition for review denied

Baxter, J., was recused and did not participate.

S114223

A097301 First Appellate District,
A097780 Division Three

SI NOS DEJAN v. BPBH
Petition for review denied

S114252

D038491 Fourth Appellate District,
Division One

SPRAGUE v. COUNTY OF SAN DIEGO
Petition for review denied

S114261

C038514 Third Appellate District

ANANDA CHURCH OF SELF-REALIZATION v.
AMERICAN INTL. SURPLUS LINE INS. CO.
Petition for review denied

S114273

C038533 Third Appellate District

ANANDA CHURCH v. STATE FARM FIRE &
CASUALTY CO.
Petition for review & publication request denied

S114283

A098912 First Appellate District,
Division Three

M. (ATHENA), IN RE
Petition for review denied

S114332

C040273 Third Appellate District

PEOPLE v. RADFORD
Petition for review denied

S114368

H021587 Sixth Appellate District

PEOPLE v. GOMEZ
Petitions for review denied

S114380

A098798 First Appellate District,
Division Five

CERVANTES v. FARMERS INSURANCE EXCH.
Petition for review denied

S114385

B155437 Second Appellate District,
Division Eight

PEOPLE v. MOORE
Petition for review denied

S114389

A101808 First Appellate District,
Division One

CARLSON v. S.C. (ALBAY CONSTRUCTION CO.)
Petition for review denied

S114422
C040945 Third Appellate District

L. (DANIELLE), IN RE
Petition for review denied

S114425
H023109 Sixth Appellate District

PEOPLE v. THAT
Petition for review denied

S114426
F039060 Fifth Appellate District

PEOPLE v. BELMARES
Petition for review denied

Kennard, J., Werdegarr, J. & Moreno, J., are of
the opinion the petition should be granted.

S114442
H024391 Sixth Appellate District

H. (BRIAN), ADOPTION OF
Petition for review denied

S114460
C038835 Third Appellate District
C041408

U. (DONALD), IN RE
Petition for review denied

S114461
F040001 Fifth Appellate District

PEOPLE v. MILLER
Petition for review denied

S114480
E031413 Fourth Appellate District,
Division Two

S. (DOMINGO), IN RE
Petition for review denied

S114490
H021788 Sixth Appellate District

KIMURA v. COLUMBIA GOOD SAMARITAN
HOSPITAL
Petition for review denied

S114491
B156191 Second Appellate District,
Division Four

PEOPLE v. CONYERS
Petitions for review denied

S114494
D039539 Fourth Appellate District,
Division One

PEOPLE v. COCHRAN
Petition for review denied

S114499

C038731 Third Appellate District

PEOPLE v. STEWART

Petition for review denied

S114500

F040090 Fifth Appellate District

PEOPLE v. BRADFORD

Petition for review denied

S114502

F039433 Fifth Appellate District

PEOPLE v. JOHNSON

Petition for review denied

S114504

C039703 Third Appellate District

PEOPLE v. THOMPSON

Petition for review denied

S114508

H025360 Sixth Appellate District

DUQUE v. S.C. (PEOPLE)

Petition for review denied

S114511B155117 Second Appellate District,
B158651 Division Three

PEOPLE v. RICHMOND (CHARLES E.)

Petitions for review denied

S114514B158526 Second Appellate District,
Division Four

PEOPLE v. MYREE

Petition for review denied

S114522

H023600 Sixth Appellate District

PEOPLE v. SOLIZ

Petition for review denied

S114526A099058 First Appellate District,
Division Four

PEOPLE v. SMITH

Petition for review denied

S114536

F040217 Fifth Appellate District

PEOPLE v. RUIZ

Petition for review denied

S114537A098651 First Appellate District,
Division Two

PEOPLE v. CAPORALE

Petition for review denied

without prejudice to the filing of an original
petition for writ of habeas corpus in the San

Mateo County Superior Court. (See *In re Lewallen* (1979) 23 Cal.3d 274.)

Kennard, J., is of the opinion the petition should be granted.

S114538
B156727 Second Appellate District,
Division Four

PEOPLE v. JOHNSON
Petition for review denied

S114540
B156680 Second Appellate District,
B162104 Division Three

PEOPLE v. WILLIAMS
Petition for review denied

S114544
H024354 Sixth Appellate District

P. (JOSE), IN RE
Petition for review denied

Kennard, J., and Werdegarr, J., are of the opinion the petition should be granted.

S114550
H023744 Sixth Appellate District

PEOPLE v. SALAZAR
Petition for review denied

S114552
D037678 Fourth Appellate District,
Division One

PEOPLE v. GERARDO
Petition for review denied

Brown, J., is of the opinion the petition should be granted.

S114555
H022916 Sixth Appellate District

PEOPLE v. DIAZ
Petition for review denied

S114560
B156679 Second Appellate District,
Division Six

PEOPLE v. VERDUZCO
Petition for review denied

S114563
A097675 First Appellate District,
Division Three

PEOPLE v. DODELE
Petition for review denied

S114565
C041099 Third Appellate District

PEOPLE v. HOWARD
Petition for review denied

S114567
A097346 First Appellate District,
Division Two

PEOPLE v. EKMAN
Petition for review denied

S114568
H024976 Sixth Appellate District

PEOPLE v. GUZMAN
Petition for review denied

S114569
E031329 Fourth Appellate District,
Division Two

RICKER v. CITY OF COLTON
Petition for review denied

S114571
B156909 Second Appellate District,
Division Four

PEOPLE v. WILLIAMS
Petition for review denied

S114577
H024568 Sixth Appellate District

PEOPLE v. ANTHONY
Petition for review denied

S114581
B164850 Second Appellate District,
Division Eight

KPMG LLP v. S.C. (THE BOARD OF
ACCOUNTANCY)
Petition for review denied

S114586

DEAVENPORT v. STATE BAR
Petition for writ of review denied

S114590
B159070 Second Appellate District,
Division Eight

PEOPLE v. KOSMIDER
Petition for review denied

S114597
H021791 Sixth Appellate District

PEOPLE v. CAMARGO
Petition for review denied

S114601
F040846 Fifth Appellate District

PEOPLE v. VALERO
Petition for review denied

S114606

B156797 Second Appellate District,
Division Seven

PEOPLE v. MIZE

Petition for review denied

S114612

F038631 Fifth Appellate District
F039068

PEOPLE v. GAXIOLA

Petition for review denied

S114615

G030100 Fourth Appellate District,
Division Three

WHITE v. DORIAN

Petition for review denied

S114620

D039847 Fourth Appellate District,
Division One

PEOPLE v. TURNER

Petition for review denied

S114622

D039726 Fourth Appellate District,
Division One

PEOPLE v. MARSH

Petition for review denied

S114626

B155600 Second Appellate District,
Division Seven

PEOPLE v. MCCLAIN

Petition for review denied

S114634

B156681 Second Appellate District,
Division Seven

PEOPLE v. WILLIAMS

Petition for review denied

S114635

G029402 Fourth Appellate District,
Division Three

WHITE v. BALIS, LEWITTES & COLEMAN

Petition for review denied

S114637

B155802 Second Appellate District,
Division Six

PEOPLE v. CAMPOS

Petition for review denied

S114643

A101654 First Appellate District,
Division One

NGO (VIET MIKE) ON H.C.

Petition for review denied

S114644

A098496 First Appellate District,
Division Four

PEOPLE v. GREEN

Petition for review denied

S114645

A101861 First Appellate District,
Division Two

BARKER v. S.C. (BOARD OF PRISON TERMS)

Petition for review denied

S114647

A096538 First Appellate District,
Division Three

PEOPLE v. HUFFMAN

Petition for review denied

S114654

F039466 Fifth Appellate District

PEOPLE v. MONROY

Petition for review denied

S114673

E030714 Fourth Appellate District,
Division Two

PEOPLE v. THORNTON

Petition for review denied

S114674

H025456 Sixth Appellate District

PEOPLE v. ROBINSON

Petition for review denied

S114737

B153469 Second Appellate District,
Division Four

PEOPLE v. PURRY

Petition for review denied

S114742

C039293 Third Appellate District

PEOPLE v. FITZGERALD

Petition for review denied

S114766

B157866 Second Appellate District,
Division Four

PEOPLE v. KLIPPER

Petition for review denied

S115233

A102146 First Appellate District,
Division One

SPENCER v. S.C. (PEOPLE)

Petition for review and application for stay denied

S115342B157157 Second Appellate District,
Division Five

ASH v. HOAG PROPERTY MGT. INC.

Petition for review and application for stay denied

S107305

TOWNSEND (ERNEST LEE) ON H.C.

Petition for writ of habeas corpus denied

S108224

LEOPOLD (CARL) ON H.C.

Petition for writ of habeas corpus denied

S108344

EADS (BRIAN MICHAEL) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)**S108499**

ELLIOTT (CORTEZ) ON H.C.

Petition for writ of habeas corpus denied

S108582

CRAMER (LARRY LEE) ON H.C.

Petition for writ of habeas corpus denied

S108746

LYONS (DARYL) ON H.C.

Petition for writ of habeas corpus denied

S108784

CROSSLEY (LAMONT S.) ON H.C.

Petition for writ of habeas corpus denied

S108793

CHAVEZ (DANNY MATA) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)**S108805**

TORREZ (DAVID) ON H.C.

Petition for writ of habeas corpus denied

S108857

BROWN (JOEL) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

S108860	GUTIERREZ (DAVID) ON H.C. Petition for writ of habeas corpus denied
S108888	MARTIN (LUIS) ON H.C. Petition for writ of habeas corpus denied
S108918	WARD (TRACEE B.) ON H.C. Petition for writ of habeas corpus denied
S109148	STEARNS (SCOTT) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109178	MARTINEZ (REYNALDO L.) ON H.C. Petition for writ of habeas corpus denied
S109363	SMITH (CAREY KEETON) ON H.C. Petition for writ of habeas corpus denied
S109440	VICK (ERNEST GLEN) ON H.C. Petition for writ of habeas corpus denied
S109480	HARROD (JESSE LEE) ON H.C. Petition for writ of habeas corpus denied
S109489	RUVALCABA (JESUS) ON H.C. Petition for writ of habeas corpus denied
S109510	CREWS (DAVID E.) ON H.C. Petition for writ of habeas corpus denied
S109570	GARCIA (PHILLIP G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109581	AVERY (MICHAEL J.) ON H.C. Petition for writ of habeas corpus denied

S109603	AGLER (STEVEN) ON H.C. Petition for writ of habeas corpus denied
S109613	SMITH (DARREL L.) ON H. C. Petition for writ of habeas corpus denied with citation(s)
S109649	VANDEBURG (MARK) ON H.C. Petition for writ of habeas corpus denied
S109665	COOKE (ALAN A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109693	BURNS (HORACE E.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109700	BENFORD (DONALD) ON H.C. Petition for writ of habeas corpus denied
S109706	KEEM (SUNNY BIG) ON H. C. Petition for writ of habeas corpus denied
S109720	DERRADO (CAMUS) ON H.C. Petition for writ of habeas corpus denied
S109759	MERGIL (ROBERT) ON H.C. Petition for writ of habeas corpus denied
S109778	CESARO (RICHARD S.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109831	THROOP (EDWARD) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S109928	GARCIA (BALTAZAR LOPEZ) ON H.C. Petition for writ of habeas corpus denied
S109929	RAMIREZ (JUAN JOSE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109944	WATSON (NYLES L.) ON H.C. Petition for writ of habeas corpus denied
S109955	ROBERTS (DAVID LEE) ON H.C. Petition for writ of habeas corpus denied
S110134	HERNANDEZ (GILBERT A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110243	TUCKER (NORMAN C.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110270	SERRANO (SAMMY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110300	ALLDREDGE (JOSEPH) ON H.C. Petition for writ of habeas corpus denied
S110307	VARGAS (EDDIE M.) ON H.C. Petition for writ of habeas corpus denied
S110336	CUNNINGHAM (WILLIAM F.) ON H.C. Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

S110344	HANDY (REGINALD) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110416	HEARTSILL (MICHAEL) ON H.C. Petition for writ of habeas corpus denied
S110524	CAMPBELL (EUGENE) ON H.C. Petition for writ of habeas corpus denied
S110527	MAGANA (MIGUEL) ON H.C. Petition for writ of habeas corpus denied
S110530	ELLISON (LAWONG) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110537	ALGARIN (MIGUEL) ON H.C. Petition for writ of habeas corpus denied
S110619	WATSON (THOMAS J.) ON H.C. Petition for writ of habeas corpus denied
S110693	WHEELER (THOMAS) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110895	SMITH (WILLIAM) ON H.C. Petition for writ of habeas corpus denied
S110953	BOYD (FLOYD A.) ON H.C. Petition for writ of habeas corpus denied
S111043	SMITH (ALWIN) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S111111	RICHARDSON (VALREY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111192	SMITH (DARREL M.) ON H.C. Petition for writ of habeas corpus denied
S111255	BROWN (JOEL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111291	LUCKETT (RONNIE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111380	RODMAN (BOBBY L.) ON H.C. Petition for writ of habeas corpus denied
S111397	LEBLUE (SHANNON D.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111480	CASNER (WILLIAM M.) ON H.C. Petition for writ of habeas corpus denied
S111482	DELA MONTANYA (RALPH M.) Petition for writ of habeas corpus denied
S111491	SARGENT (CORBY) ON H.C. Petition for writ of habeas corpus denied
S111513	MOORE (REGINALD J.) ON H.C. Petition for writ of habeas corpus denied
S111520	KULKA (JAMES E.) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S111665	BELLE (LINWOOD) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111747	KASLE (DAVID S.) ON H.C. Petition for writ of habeas corpus denied
S111842	BRIGHTMON (TODD D.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111843	WILLIAMS (FREDERICK) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111869	GARDNER (KENNETH R.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111870	HIGH (JONATHAN B.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111871	BAZLEY (MIKE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111873	HILL (JOHNATHAN L.) ON H.C. Petition for writ of habeas corpus denied
S111886	BEITZ (RICHARD K.) ON H.C. Petition for writ of habeas corpus denied
S111893	TERRY (VINCENT P.) ON H.C. Petition for writ of habeas corpus denied
S111938	STEFFEN (MICHAEL) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S111956	DEMORAIS (WEDSON) ON H.C. Petition for writ of habeas corpus denied
S111996	WILLIAMS (TOMMY R.) ON H.C. Petition for writ of habeas corpus denied
S111997	DAVIS (ANTOINE) ON H.C. Petition for writ of habeas corpus denied
S111999	MILLARE (MORIANO) ON H.C. Petition for writ of habeas corpus denied
S112048	GONZALES (JORGE A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112069	BANKS (ROBERT LOUIS) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112098	ROMERO (FELIX G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112101	MCDADE (CARL) ON H.C. Petition for writ of habeas corpus denied
S112107	RASMUSSEN (DANIEL E.) ON H.C. Petition for writ of habeas corpus denied
S112116	BRIGHTMON (TODD D.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112119	RAINS (JONATHAN M.) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S112130	HENDERSON (ROBERT L.) ON H.C. Petition for writ of habeas corpus denied
S112141	SMITH (GARY D.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112176	DUKE (BARAN G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112177	GOODWIN (DRACY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112181	TAYLOR (JEFFREY L.) ON H.C. Petition for writ of habeas corpus denied
S112187	HAMBY (STEVEN W.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112192	OUTTEN (LOYAL) ON H.C. Petition for writ of habeas corpus denied
S112717	BLANTON (KENNETH) ON H.C. Petition for writ of habeas corpus denied
S112731	BRIGHTMON (TODD D.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S113878	BAZLEY (MIKE) ON H.C. Petition for writ of habeas corpus denied
S114498	LICCIARDI (ROBERT) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S114692RASHID (HAKIM W.) ON H.C.
Petition for writ of habeas corpus denied**S114974**WILSON (MARK) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)**S112312**A097465 First Appellate District,
Division OneANDRADA v. ALAMEDA COUNTY FAIR
Publication request denied (case closed)**S113674**E031625 Fourth Appellate District,
Division TwoR. (R.), IN RE
Publication request denied (case closed)**S114302**E032980 Fourth Appellate District,
Division TwoCOCOS RESTAURANT v. S.C. (ROSENTHAL)
Publication request denied (case closed)**S114814**

H023941 Sixth Appellate District

PEOPLE v. RODRIGUEZ
Publication request denied (case closed)**S115030**B161826 Second Appellate District,
Division ThreeKATZ v. S.C. (KATZ)
Publication request denied (case closed)**S015384**PEOPLE v. LETNER & TOBIN
Extension of time granted

to July 7, 2003 to file appellant LETNER'S opening brief. After that date, only one further extension totaling about 60 additional days is contemplated. Extension is granted based upon counsel R. Clayton Seamon's representation that he anticipates filing that brief by 9/6/2003.

S029588**PEOPLE v. RICHARDSON (CHARLES)**
Extension of time granted

to July 8, 2003 to file appellant's opening brief. The court anticipates that after that date, only four further extensions totaling 240 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S031603**PEOPLE v. LEWIS (JOHN)**
Extension of time granted

to July 1, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S040527**PEOPLE v. DEPRIEST (TIMOTHY LEE)**
Extension of time granted

to July 7, 2003 to file appellant's opening brief. After that date, only two further extensions totaling 100 additional days will be granted. Extension is granted based upon counsel Russell S. Babcock's representation that he anticipates filing that brief by 10/15/2003.

S040703**PEOPLE v. ROBINSON (JAMES)**
Extension of time granted

to June 24, 2003 to file appellant's reply brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity,

if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S045078

PEOPLE v. CLARK (ROYAL)
Extension of time granted

to May 28, 2003 to file appellant's opening brief. After that date, only one further extension totaling 30 additional days will be granted. Extension is granted based upon counsel Melissa Hill's representation that she anticipates filing that brief by 5/28/2003.

S045982

PEOPLE v. AVILA (JOHNNY JR.)
Extension of time granted

to June 30, 2003 to file respondent's brief. After that date, only one further extension totaling 30 additional days is contemplated. Extension is granted based upon Supervising Deputy Attorney General Louis M. Vasquez's representation that he anticipates filing that brief by 7/28/2003.

S052808

PEOPLE v. GAMACHE (RICHARD C.)
Extension of time granted

to July 1, 2003 to file appellant's opening brief. The court anticipates that after that date, only three further extensions totaling 180 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S071265

MICHAELS (KURT) ON H.C.
Extension of time granted

to June 2, 2003 to file the supplemental informal response to the petition for writ of habeas corpus. After that date, no further

extension will be granted. Extension is granted based upon Deputy Attorney General Bradley A. Weinreb's representation that he anticipates filing that document by 6/1/2003.

S072946

PEOPLE v. GONZALEZ (JOSE)
Extension of time granted

to June 30, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S110094

AYALA (RONALDO) ON H.C.
Extension of time granted

to May 30, 2003 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon counsel Michael R. Belter's representation that he anticipates filing that document by 5/30/2003. After that date, no further extension will be granted.

S110988

MARKS (DELANY G.) ON H.C.
Extension of time granted

to May 12, 2003 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General Sharon Wooden's representation that she anticipates filing that document by 5/12/2003. After that date, no further extension will be granted.

S111309

E029720 Fourth Appellate District,
Division Two

PEOPLE v. BETTS
Extension of time granted

to April 18, 2003 for appellant to file the opening brief on the merits

S113803

H023838 Sixth Appellate District

PEOPLE v. JOHNSON

Counsel appointment order filed

Upon request of appellant for appointment of counsel, the Sixth District Appellate Program is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S113966

B155109 Second Appellate District,
Division Eight

PEOPLE v. MINSKY

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Stephen Temko is hereby appointed to represent appellant on his appeal now pending in this court.

S106586

H020771 Sixth Appellate District

MEJIA v. REED

Request for judicial notice granted

S111517

GADDA ON DISCIPLINE

Order: (dispositive)

Petitioner's "Motion for Extension of Finality of Decision" filed on February 14, 2003, and "Motion to Reopen/Reconsider Sua Sponte and Hearing En Banc" filed on March 17, 2003, are denied.

S114551

STEELE (RAYMOND EDWARD) ON H.C.

Request denied

Petitioner's motion "to file exhibits A and B to petition for habeas corpus under seal," filed March 25, 2003, is denied. The clerk is directed to return volume V of the exhibits to the petition, which contains exhibits A and B and is currently conditionally under seal, to the moving party. (See Cal. Rules of Court, rule 12.5(e)(7).)

S089463

LAWLEY (DENNIS H.) ON H.C.
Referee appointed

THE COURT:

Based on the record in this matter and good cause appearing:

The appointment of the Honorable Roger E. Beauchesne, Judge of the Stanislaus County Superior Court, as referee, filed March 26, 2003, is hereby vacated. The Honorable John E. Griffin, Judge of the Stanislaus County Superior Court, is appointed to sit as a referee in this proceeding. He shall take evidence and make findings of fact on the following questions regarding the case of *People v. Dennis Harold Lawley* (Stanislaus County Superior Court No. 243108; Judge Eugene Acevedo):

1. Is petitioner factually innocent because Brian Seabourn killed Kenneth Stewart, not at petitioner's request, but solely for or at the direction of the Aryan Brotherhood or other persons?

2. Did Brian Seabourn communicate with District Attorney James C. Brazelton, by letter or other means, after petitioner's trial? If so, what was the substance of the communication?

3. Does the Department of Corrections, or any of its employees, agents or subordinate or related entities, possess information exonerating petitioner of complicity in the killing of Stewart?

It is further ordered that the referee prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and the findings of fact made.

Any requests for discovery in this matter, including but not limited to any motion by petitioner under *Pennsylvania v. Ritchie* (1987) 480 U.S. 39, should be addressed to the referee. (See *In re Scott* (2003) 29 Cal.4th 783, 814.)

**SUPREME COURT CALENDAR
SAN FRANCISCO SESSION
MAY 27, 28 and 29, 2003**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom, located at 350 McAllister Street, Fourth Floor, San Francisco, California, on May 27, 28 and 29, 2003.

TUESDAY, MAY 27, 2003 – 9:00 A.M.

S110662 Southern California Edison v. Lynch - (*Chin, J., not participating, Rushing, J., assigned Justice Pro Tempore.*)
S103340 People v. Julian Reynoso } - (*Consolidated cases to*
S103343 People v. John Reynoso } *be argued together*)
S105781 People v. Montes

1:30 P.M.

S111138 In re Celine R.
S106586 Mejia v. Reed
S032832 People v. Omar F. Martinez (Automatic Appeal)

WEDNESDAY, MAY 28, 2003 – 9:00 A.M.

S096161 Drouet v. Superior Court, County of San Francisco; Broustis (R.P.I.)
S106440 People v. Neal
S106256 Hassan v. Mercy American River Hospital

1:30 P.M.

S109642 Guillory v. Superior Court, County of Contra Costa; People (R.P.I.)
S094597 People v. Lee
S096831 In re Lee Max Barnett on Habeas Corpus
(*Kennard, J., not participating, Pollak, J., assigned Justice Pro Tempore.*)

THURSDAY, MAY 29, 2003 – 9:00 A.M.

S094088 People v. Sanders
S102588 DVD Copy Control Association v. Bunner - (*Kennard and Chin, JJ., not participating, Robie and Rivera, JJ., assigned Justices Pro Tempore.*)
S105225 People v. Floyd

1:30 P.M.

S109902 In re Eddie M.
S107904 In re Emiliano M.
S034110 People v. Mark C. Crew (Automatic Appeal)

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.

**SUPREME COURT CALENDAR
LOS ANGELES SESSION
JUNE 3 and 4, 2003**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on June 3 and 4, 2003.

TUESDAY, JUNE 3, 2003 - 2:00 P.M.

S104543	MacKinnon v. Truck Insurance Exchange
S026700	People v. Andrew Lamont Brown (Automatic Appeal)

WEDNESDAY, JUNE 4, 2003 - 9:00 A.M.

IN MEMORIAM – HON. MARCUS M. KAUFMAN
Associate Justice, California Supreme Court (1987-1990)

S107266	People v. Williams
S105735	Kahn v. East Side Union High School District
S107167	People v. Gonzalez

1:30 P.M.

S106503	Jarrow Formulas v. Lamarche
S035769	People v. James M. Heard (Automatic Appeal)

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.

